



Attorney Docket No. 38-03

## JOINT INVENTORS' DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "CELLULAR DELIVERY AND ACTIVATION OF POLYPEPTIDE-NUCLEIC ACID COMPLEXES," the specification of which was filed on January 8, 2004, as Application Serial No.

10/755,082;

We hereby authorize our legal representative to add reference to the Serial No. and/or filing date of the above-referenced application to this declaration.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, '1.56.

### **Prior Provisional Application(s)**

I hereby claim the benefit under Title 35, United States Code, '119(e) of any United States provisional application(s) listed below:

Application Serial Number	Date of Filing (day,month,year)
60/438,778	9 JANUARY 2003

Insofar as the subject matter of each of the claims in this application is not disclosed in the prior United States, foreign or PCT International application(s) to which priority has been claimed above in the manner provided by the first paragraph of Title 35, United States Code, '112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, '1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

We hereby appoint, both jointly and severally, as our attorneys and agents with full power of substitution and revocation, to prosecute this application and any corresponding application filed in the Patent Cooperation Treaty Receiving Office, and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

Lorance L. Greenlee, Reg. No. 27,894; Ellen P. Winner, Reg. No. 28,547; Sally A. Sullivan, Reg. No. 32,064; Donna M. Ferber, Reg. No. 33,878; G. William VanCleave, Reg. No. 40,213; Susan K. Doughty, Reg. No. 43,595; Heeja Yoo-Warren, Reg. No. 45,495; Tamala R. Jonas, Reg. No. 47,688; Laura L. Conley, Reg. No. 54,653; Stephen B. Barone, Reg. No. 53,968; Steven J. Penner, Reg. No. 54,371; Michael J. Curtis, Reg. No. 54,053; Gary B. Chapman, Reg. No. 51,279; all of Greenlee, Winner and Sullivan, P.C., 5370 Manhattan Circle, Suite 201, Boulder, CO 80303.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full Name of

First Inventor: DALBY, Brian  
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Citizenship: US  
Post Office Address: 7521 Quinta Street, Carlsbad, CA 92024

(1) Signature Brian Dalby Date 5/6/04

(2) Full Name of

Second Inventor: BENNETT, Robert P.  
Residence: Encinitas, CA  
Citizenship: US  
Post Office Address: 1269 Rainbow Ridge Lane, Encinitas, CA 92024

(2) Signature \_\_\_\_\_ Date \_\_\_\_\_



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(1) Full Name of

First Inventor: DALBY, Brian  
Residence: Carlsbad, CA  
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Post Office Address: 7521 Quinta Street, Carlsbad, CA 92024

(1) Signature \_\_\_\_\_ Date \_\_\_\_\_

(2) Full Name of

Second Inventor: BENNETT, Robert P.  
Residence: Encinitas, CA  
Citizenship: US  
Post Office Address: 1269 Rainbow Ridge Lane, Encinitas, CA 92024

(2) Signature Robert P. Bennett Date May 10 2004